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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,518	01/26/2001	Pierre Messier	CLW 2 0142	5871
7590	01/12/2004			
FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP 1100 SUPERIOR AVENUE, 7TH FLOOR CLEVELAND, OH 44114-2516				
EXAMINER CHORBAJI, MONZER R				
ART UNIT 1744		PAPER NUMBER		

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DATE MAILED: 01/12/2004

JAN 14 2004

FAY, SHARPE, BEALL, FAGAN,
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Please find below and/or attached an Office communication concerning this application or proceeding.

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Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)


The amendment document filed on 12-7-03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☒ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: The text of all claims under examination, except for

Corrected claims, must be given.
For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

 If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

William W. Goshoff
Legal Instruments Examiner (LIE)

571.272.1037
Telephone No.

Rev. 10/03

1744
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37 C.F.R. 1.6 sets forth the types of correspondence that can be communicated to the Patent and Trademark Office via facsimile transmissions. Applicants are advised to use the certificate of facsimile transmission procedures when submitting a reply to a non-final or final Office action by facsimile (37 CFR 1.8(a)).

Fax Notes:

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Goodwin Procter LLP
Counsellors at Law
103 Eisenhower Parkway
Roseland, NJ 07068
T: 973.992.1990

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Date	Total pages
June 16, 2004	10

To	Company	Fax number	Telephone
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From	Fax number	Telephone
Patrice A. King, Esq. (Reg. No. 44,833)	(973) 992-4643	(973) 992-1990

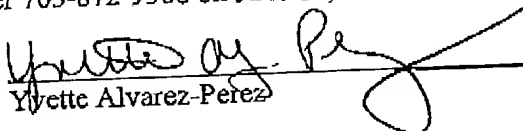
Application No. : 09/770,518
Filing Date : January 26, 2001
First Named Inventor : Pierre Messier
Attorney Docket No. : CLW 2 0142
Examiner : Monzer R. Chorbaji
Confirmation No. : 5871
Art Unit : 1744

Submitted herewith are the following items for filing in the above-identified case:

1. This Fax Transmittal
2. Response To Notice of Non-Compliant Amendment (Voluntary Revised Practice)
3. Copy of Notice of Non-Compliant Amendment

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office's official facsimile number 703-872-9306 on June 17, 2004.


Yvette Alvarez-Perez